

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In The Matter Of:

Janet M. Murphy) Case Number: 23-40363-659

Debtor)

U.S. Bank Trust National Association as)
trustee of Cabana Series V Trust, or its)
successors and assigns)

Movant,)

vs.)

Janet M. Murphy)

and)

Tracy A Brown)

Trustee)
Respondents)

ORDER

The Motion for Relief from the Automatic Stay, filed by U.S. Bank Trust National Association as trustee of Cabana Series V Trust called for hearing.

Upon consideration of the pleadings and the record as a whole, the Court finds and concludes that the Movant has a security interest in the following property:

THE EAST 30 FEET OF LOT 41 AND ALL OF LOT 42 IN BLOCK 17 OF
NORTHDALE, A SUBDIVISION IN ST. LOUIS COUNTY, MISSOURI, AS
PER PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 2 OF THE
ST. LOUIS COUNTY RECORDS.

The Court further finds and concludes that there is no equity in this property for the benefit of the bankruptcy estate; that Movant has not been afforded adequate protection for its interest and that said property is not necessary for an effective reorganization. It is therefore,

ORDERED that the stay provided for by Section 362 of Title 11, United States Code, is terminated to permit the Movant, or its successors and assigns to foreclose its security interest in the herein described property and to pursue its remedies in accordance with the security agreement and state law including obtaining possession of the property after foreclosure.

IT IS FURTHER ORDERED that relief from the automatic stay is granted to Movant, or its successors and assigns effective immediately and that relief from the automatic stay is not stayed for fourteen (14) days pursuant to Rule 4001.

IT IS FURTHER ORDERED Movant's attorney fees in the amount of \$700.00 and costs in the amount of \$188.00 sought in the Motion, or any balance thereon, are hereby granted and may be assessed against the account of the Debtor.

IT IS FURTHER ORDERED that Movant, or its successors and assigns shall be permitted to communicate with the Debtor and Counsel for Debtor to the extent provided for under nonbankruptcy law to discuss loss mitigation options including alternatives to foreclosure

IT IS FURTHER ORDERED that all further relief prayed for by Movant is hereby DENIED.

Kathy A. Surratt - States
KATHY A. SURRETT-STATES
U.S. Bankruptcy Judge

DATED: March 14, 2023
St. Louis, Missouri
jjh

Order Prepared and Submitted by:
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Office of the United States Trustee

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